

United States Bankruptcy Court
Eastern District of Virginia

In re: Sheila A. Williams

Chapter 13
Case No.14-36073

Debtor

Sheila A. Williams

Plaintiff,

Adversary Proceeding No. 15-03001-KLP

v.

Green Tree Servicing, LLC,
5801 Towles Mills Road
Partlow, VA 22534
SSN:xxx-xx-5392
and
Bank of America, NA
100 North Tryon Street
Charlotte, NC 28202

Defendants,

and

R. Brian Ball and Paul S. Bliley,
Deed of Trust Trustees
P.O. Box 1320
Richmond, VA 23218-1320

Defendants.

AMENDED
NOTICE OF MOTION FOR ENTRY OF DEFAULT JUDGMENT ON
AMENDED COMPLAINT UNDER FED. R. BANKR. P. 7055(a)

The above-named Debtor: SHEILA A. WILLIAMS has filed papers with the court to request entry of default judgment against BANK OF AMERICA, NA to void their lien and GREEN TREE SERVICING, LLC as service agent.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to Grant Entry of the Default Judgement or if you want the court to consider your views on the MOTION FOR ENTRY OF DEFAULT JUDGMENT ON AMENDED COMPLAINT UNDER FED. R. BANKR. P. 7055(a), then on or before November 24, 2015, you or your attorney must:

[File with the court a written request for a hearing {or, if the court requires a written response, an answer, explaining your position} at:

701 East Broad Street Richmond, VA 23219

If you mail your {request} {response} to the court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above. You must also mail a copy to:

Larry L. Miller
MILLER LAW GROUP, P.C.
1160 Pepsi Place Suite 341 Jordan Building
Charlottesville, VA 22911

[Attend the hearing scheduled to be held on December 2, 2015, at 9:30am. in Judge Phillips' Courtroom, 701 E. Broad St., Rm. 5100, Richmond, Virginia

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion or objection and may enter an order granting that relief.

Date: 10/29/2015

Signature: /s/Larry L. Miller
Larry L. Miller, Esq
MILLER LAW GROUP, PC
1160 Pepsi Place, Suite 341
Charlottesville, VA 22901

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION

IN RE: SHEILA A. WILLIAMS

CHAPTER 13
CASE NO.14-36073

Debtor

SHEILA A. WILLIAMS

Plaintiff

Adversary Proceeding No.15-03001

V.

GREEN TREE SERVICING, LLC,
5801 TOWLES MILLS ROAD
PARTLOW, VA 22534
AND
BANK OF AMERICA, NA
100 NORTH TRYON STREET
CHARLOTTE, NC 28202

DEFENDANTS,
AND

R. BRIAN BALL AND PAUL S. BLILEY,
DEED OF TRUST TRUSTEES
P.O. BOX 1320
RICHMOND, VA 23218-1320

DEFENDANTS.

MOTION FOR ENTRY OF DEFAULT JUDGMENT ON AMENDED COMPLAINT
UNDER FED. R. BANKR. P. 7055(a)

TO THE DEFENDANT, DEFENDANT'S ATTORNEYS, AND OTHER INTERESTED PARTIES:

The name of the Defendant against who default judgment is sought: GREEN TREE SERVICING, BANK OF AMERICA, NA, LLC and R. BRIAN BALL AND PAUL S. BLILEY.

1. The Plaintiff filed the Amended Complaint in the above-captioned proceeding on or about June 8, 2015.

2. The Summons, Complaint and Notice of Trial (or Pretrial Conference) was served on the Defendant and on the trustee for the Defendant, by certified mail, return receipt requested, June 19, 2015.
3. A confirmed copy of the completed Return of Service has been filed with the Court.
4. Pursuant to Bankr.R. 7012(a) the said Defendant was required to answer or otherwise respond to the complaint. The time for filing an Answer or other response expired on July 9, 2015.
5. No Answer or other response has been filed or served by the Defendant.
6. The default of the Defendant has not yet been entered, but is hereby requested.
7. As proof that the Plaintiff[s] is/are entitled to the relief requested in the Complaint, the Plaintiff[s] relies/rely on the Complaint and the documents attached thereto.

DECLARATION OF NON-MILITARY STATUS

No Defendant named in paragraph 1 above is in the military service so as to be entitled to the benefits of the Soldiers' and Sailors' Civil Relief Act of 1940 (50 U.S.C. Appen.' 501, *et seq.*).

DECLARATION OF COMPETENCY

No Defendant named in paragraph 1 above is neither an infant or incompetent person as required by Fed.R.Civ.P.55(b)(1).

WHEREFORE, the Plaintiff pray[s] that this Court enter a Default Judgment in favor of the Plaintiff. A copy of the proposed Default Judgment is submitted herewith and has been served.

Dated: 10/29/2015

Respectfully submitted,

SHEILA A. WILLIAMS
By counsel

/s/ Larry L Miller
Larry L Miller Esq.
VSBN.43345
MILLER LAW GROUP, P.C.
1160 Pepsi Place, Suite 341
Charlottesville, VA 22901
Phone (434) 974-9776

CERTIFICATE OF SERVICE

COMMONWEALTH OF VIRGINIA
COUNTY/CITY OF ALBEMARLE, to wit:

I am employed in the above County/City of Albemarle, Commonwealth of Virginia. I am over the age of 18 and am not a party to the within action. My business is as follows: Attorney for the Plaintiff[s]/Debtor[s] herein.

On October 29, 2015, I will serve the foregoing document, described as Request for Entry for Default Judgment under Fed. R. Bankr. P. 7055(a), on the interested parties at their last known address in this action by placing a true and correct copy thereof in a sealed envelope with postage thereon fully prepaid in a receptacle of the United States Mail at addressed as follows:

Green Tree Servicing, LLC
P.O. Box 6154
Rapid City, SD 57709-6154

Green Tree Servicing, LLC
Attention: Bankruptcy Department
P.O. Box 0049
Palatine, IL 60055-0049

Bank of America, NA
31 West Patrick Street
Frederick, MD 21701

Bank of America, NA
Attn: Brian Moynihan
Chairman of the Board
And Chief Executive Officer
100 North Tryon Street
Charlotte, NC 28202

R. Brian Ball, Esq. and Paul S. Bliley, Esq.
Deed of Trust Trustees for PNC Mortgage
P.O. Box 1320
Richmond, VA 23218-1320

Green Tree Servicing, LLC
Registered Agent
CT Corporation
4701 Cox Road, Ste.285
Glen Allen, VA 23060

Green Tree Servicing, LLC
7360 S. Kyrene Road
Suite 101
Tempe, AZ 85283

Green Tree Servicing, LLC
Principal Office
345 St. Peter Street
St. Paul, MN 55102

I, Larry L. Miller declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: 10/29/2015

/s/ Larry L. Miller
Larry L Miller, Esq.
VSBN.43345
MILLER LAW GROUP, P.C.
1160 Pepsi Place, Suite 341
Charlottesville, VA 22901
Phone (434) 974-9776